

The Leesburg Planning Commission met on Thursday, May 20, 2004, in the Council Chambers, 25 West Market Street, Leesburg, Virginia. Staff members present were Susan Swift, Aref Etemadi, Lee Phillips, Brian Boucher, Paul Gauthier and Linda DeFranco.

### **CALL TO ORDER**

The meeting was called to order at 7:00pm by Chairman Vaughan.

### **PLEDGE OF ALLEGIANCE AND ROLL CALL**

Present: Chairman Vaughan  
Commissioner Bangert  
Commissioner Barnes  
Commissioner Emswiller  
Commissioner Hoovler  
Mayor Umstattd

Absent: Vice Chairman Werner

Prior to the beginning of the meeting, Chairman Vaughan welcomed interim Commissioner Jewell Emswiller.

### **ADOPTION OF THE AGENDA**

Commissioner Bangert moved to adopt the agenda as presented:

Motion: Bangert  
Second: Hoovler  
Carried: 5-0

### **ADOPTION OF MINUTES**

Commissioner Hoovler moved to adopt the minutes of the May 6, 2004 meeting as submitted:

Motion: Hoovler  
Second: Bangert  
Carried: 4-0-1

Commissioner Emswiller abstained from the vote since she was not present for the May 6 meeting.

**PETITIONERS**

Ann Jones of 1232 Bradfield Drive, SW, representing the residents of Woodlea Manor and the Keep South Leesburg Beautiful Committee addressed the Commission and urged them to keep their interests in mind when reviewing and considering the application for Meadowbrook. They are strongly opposed to the development, and want to be assured that during construction and completion that there will be no compromise to the quality of life in that area.

Ann Jansen of 105 Balch Springs Circle, representing the Evergreen Meadows Homeowners' Association, voiced opposition to the plan in its current form. She has been working with Country Club, Woodlea Manor, Linden Hills and Evergreen Meadows residents to gather input regarding the proposal. Once again they do not want to see the quality of life in that area compromised in any way. They look forward to working with the town and the developer to assure the best possible solution to this proposal.

Terry Alders of 22 Linden Hill Way thanked Ms. Jones and stated that his neighborhood agrees with the position of opposition.

Hubbard Turner, not representing anyone, a resident of Country Club where there is no HOA, agrees that this development needs to be watched closely. The impact on schools, traffic and access are of major concern.

Brian Allston of 22 Newington Place spoke regarding Paxton. He feels that the Trustees seem to be on the path of demolition for the historic property. Referring to other properties that have been destroyed for the sake of progress, he wondered when the lessons will be learned. Naming several other historic sites, he hoped that they would not see the same fate. He stated that Leesburg is separated from other towns because of its diligence in preserving its history. He urged a compromise and a win win solution to this proposal.

At this point Chairman Vaughan urged the residents that were present regarding Meadowbrook to remain involved and participate in community meetings and meetings with the developer, Town Council and the Planning Commission.

**SUBDIVISION AND LAND DEVELOPMENT****Zoning Code Amendments – Preview – Brian Boucher, Zoning Administrator**

Mr. Boucher gave an overview of the proposed Zoning Ordinance Amendments. They are designed to remove inaccuracies and inadequacies of the past. They are also meant to assist applicants and citizens in the various processes. The consideration of the amendments will be scheduled for Public Hearing at the Planning Commission Meeting on Thursday, June 3, 2004

Commissioner Vaughan stated that anyone that had immediate specific questions should ask them tonight, but there would be an opportunity to review these amendments in more detail.

Commissioner Bangert asked if they could add items that had been discussed but were not listed on this paperwork. Mr. Boucher responded that if it is related to any of these topics, then yes, but if it's not related, then that should be addressed at another time. Ms. Bangert further asked that if they had suggestions, should they contact Mr. Boucher. She specifically mentioned working with Panera Bread to assure that certain potential eyesores were prevented.

Commissioner Hoovler asked about tree standards and the specific changes suggested. Mr. Boucher said that there will be detailed staff reports that will explain the amendment.

Mayor Umstattd thanked everyone and said she was impressed with a job well done.

Commissioner Barnes had no comment, but also thanked staff for a job well done.

Chairman Vaughan had a question on Sections 5.4.2, 5.5.2, and 5.7.2 with regard to "Extended Family Residence" and the fact that we might be setting ourselves up for enforcement duty. In Section 11.4.3 he is concerned with new commercial structures being more consistent with Leesburg architecture. Also the screening uses and density of buffers.

#### **Subdivision and Land Development Code Amendments – Lee Phillips, Chief Current Planning**

Mr. Phillips went through the various changes proposed for the Subdivision and Land Development Code Amendments. Some considerations are the Land Development Official would become the approval authority on Preliminary Development Plans, eliminate the cap on the number of parking spaces required for a townhouse development to mention a few.

Commissioner Vaughan expressed some concern about commercial structures and the H-2 corridor.

Mayor Umstattd asked if this recommended extending the H-2 corridor to non-residential buildings. Susan Swift responded that this is still being investigated and it hasn't been determined whether it will be in this amendment group or a future one.

Mr. Boucher stated that the H-2 zoning would be limited to large apartment buildings only under residential.

Commissioner Emswiller asked if eliminating the cap on the parking for Townhouses will reduce parking. Commissioner Vaughan stated that currently the number of

bedrooms dictates the number of parking spaces required. Mr. Boucher said that this is currently addressed in the subdivision regulations.

### **ZONING**

#### **Wastewater Treatment Plant – TLSE 2003-0004, Brian Boucher, Zoning Administrator**

Brian Boucher gave an overview of the Wastewater Treatment Plant expansion. Casically they want to expand the plant to increase the gallons per day processed from 5MGD to 7.5MGD and to relocate utility lines service to service this expansion. This expansion is required to keep up with the population growth.

Commissioner Bangert had a question on the position of some of the equipment in relation to Tuscarora Creek. In other words, was there any chance of the creek spilling over its banks and mixing with the wastewater.

Aref Etemadi stated that the design would not allow any of the creekwater to enter the plant. The platforms are raised and are outside of the parameters of the floodwater. Commissioner Bangert went on to ask how the odor control worked. Mr. Etemadi said that basically roofs cover the wastewater with special exhaust venting that eliminates the odor.

Commissioner Hoovler asked how long this expansion will take care on the needs of population growth. Mr. Etemadi stated about five to seven years.

#### **Paxton Property – TLZM 2004-0004 – Brian Boucher, Zoning Administrator**

Mr. Boucher gave an overview of this rezoning application to apply H-1 old and historic district overlay and a zoning ordinance amendment to identify the Paxton site as an historic landmark. There will be a public hearing at the May 25, 2004 Town Council meeting.

There were no further questions.

#### **Meadowbrook – TLZM 2004-0001 – Christopher Murphy, Senior Planner**

Mr. Murphy gave the briefing on the Meadowbrook project. The application is actually five applications, a rezoning, town plan amendment to relocate Battlefield Parkway and three special exception applications to include two drive through banks and a convenience store. The entire project includes mixed use, parks, and residential units.

Mayor Umstattd asked when the public hearing might take place. Mr. Murphy said most likely in September.

Commissioner Hoovler asked if all five applications were reviewed at one time and would they be presented together? They will be presented as one project but with staggered review.

Chairman Vaughan thought this would be reviewed as a master plan concept. Susan Swift responded that it would come as one case because all of the various sections are being integrated. Chairman Vaughan wanted to make sure that it is not piecemealed.

Commissioner Bangert asked whether there would be work sessions on this project and how they would logistically be planned.

Chairman Vaughan said he has not yet thought about it, but as needed, they would work them out.

Commissioner Bangert went on to ask whether anything was in writing regarding the realignment of Battlefield Parkway. Mr. Murphy said that yes, their proposal is currently under review by the transportation planner.

Commissioner Emswiler said she wanted to see more about the whole project before asking questions, but is concerned about the realignment of the parkway.

Chairperson Vaughan asked Mr. Minchew to come forward. Ms. Bangert stated that she felt this was not applicable at this time since this was just a staff preview report. Mr. Vaughan stated that he simply wanted to give the applicant the opportunity to make sure that everything was presented correctly in the staff review.

Randy Minchew, representing the applicant, said that the staff report was fine. He wanted to state that the staff is present for any questions that the commission might have. He went on to say that they plan to work closely with the Planning Commission, town staff and the community.

There were no questions.

### **COUNCIL AND REPRESENTATIVE'S REPORT**

Mayor Umstattd stated that she had no report. She apologized for not having been at the last meeting.

Commissioner Hoovler reported on the EDC meeting. They had a presentation by LCVA on their marketing research. They also discussed the airport gateway project. There was also a presentation on the tree canopy reduction. Mr. Hoovler feels that this will be very useful in the comp plan update. Lastly there was some discussion on home occupations and zoning ordinance regulations.

Susan Swift asked when the Commission would like to hear the tree canopy report, and also the watershed presentation.

Commissioner Bangert suggested that this be done after the new Commission members are appointed.

Commissioner Hoovler asked about the June 17<sup>th</sup> session. Was this still going to be the combined EAC, EDC meeting? Also, is there a format prepared? What is happening with the televising of the program.

Commissioner Vaughan reported on the Board of Architectural Review meeting. The wayfinding signs were the main item of discussion. They are looking at wood signs rather than aluminum. The wood signs will display better.

Mayor Umstattd wanted to make sure that all subdivision names are listed as being across from Meadowbrook, e.g. Country Club, Linden Hill, Greenway Farms, Woodlea Manor, etc.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

Commissioner Bangert asked about the master plan for Bolen Park being turned down. They wanted to know why the town was not represented.

Susan Swift reported that the town was invited, reports were written and the town's major issues were transportation and that the UGA states that it should be business and employment center. They did not feel it warranted attending the meeting and this was communicated to the County in advance.

Chairperson Vaughan had some question on the Dominion Power easement.

Susan Swift stated that a resolution has been prepared to go to Council on Tuesday evening. Bruce Douglas is the town representative on the committee that is working with Dominion, along with the County and Northern Virginia Regional Park Authority. They are looking at alternatives, and the state has the final say. Dominion plans to submit this to State Corporation Commission by the fall. Dominion has retained the rights of way along the W&OD linear park.

Mayor Umstattd reported that promotional packets have been sent to senators and delegates in the state legislature by Dominion. There is growing citizen concern over this lobbying effort and it is recommended that the citizens also send letters stating their view. The Town is working along with the towns of Hamilton and Purcellville to ask our representatives to vote against the bike path easement.

Susan stated that anyone with questions should contact Bruce Douglas. Chairman Vaughan said that an email address should be posted to allow citizens to directly email their opinion.

Commissioner Bangert said to wait a while to send any email, until staff has actually been assigned to this case. If email is sent now, it will most like end up in a black hole.

Susan also discussed two resolutions prepared on the Western Transportation Corridor. Staff is recommending that his not be put back in the County Plan because of caveats contained in the proposal. These resolutions will be considered by Council on Tuesday, May 25, 2004.

Chairman Vaughan asked how the staff felt about the concept.

Susan Swift answered that there needs to be some more consideration regarding the alignment and the fact that this road will dump onto Route 7 without a link into Maryland. There are still many variables that need to be considered. The current route does not really do what the objectives are.

Commissioner Hoovler asked if the by laws change needed to be approved this evening.

Susan Swift stated that they had a motion last month, they need to confirm that this is correct. Chairman Vaughan asked about the appointment of the parliamentarian in accordance with State Code.

Commissioner Hoovler wanted to know if they served on other committees as members or just liaison representatives. Chairman Vaughan stated they were liaisons only. Mr. Hoovler stated that the ByLaws, Section 1.5 be changed from "serve on" to "serve as a Liaison".

Commissioner Bangert volunteered to go back as EAC liaison in the absence of Mr. Dube and until his replacement is appointed. There was further discussion on the 10-day waiting period. It was determined that this had been addressed already.

Commissioner Hoovler moved that they adopt the ByLaws as amended and as amended this evening.

Motion:	Hoovler
Second:	Barnes
Carried:	5-0

**ADJOURNMENT**

The motion was made and seconded to adjourn the meeting at 9:03pm.

**Prepared By:**

**Approved By:**

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**Linda DeFranco, Commission Clerk**

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**Clifton Vaughan, Chairman**